

**IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI**

[REDACTED], et al., Plaintiff	)	Div. 11
)	
vs.	)	Cause No. 14SL-CC [REDACTED]
	)	Consolidated with:
	)	No. 14SL-CC [REDACTED]
[REDACTED],	)	No. 14SL-CC [REDACTED]
[REDACTED] d/b/a	)	No. 14SL-CC [REDACTED]
	)	No. 14SL-CC [REDACTED]
	)	No. 14SL-CC [REDACTED]
Defendants.	)	No. 14SL-CC [REDACTED]
	)	for purposes of discovery,
	)	motions, and case management
	)	conferences.

COURT ORDER

Cause previously called and heard on Defendant [REDACTED]'s Motion to Dismiss for Lack of Jurisdiction. Parties appeared by counsel. The Court, being fully apprised, finds as follows:

1. Plaintiffs [REDACTED], [REDACTED], [REDACTED], and [REDACTED] (hereinafter "Plaintiffs") filed seven separate lawsuits against Defendants [REDACTED] (hereinafter "[REDACTED]") and [REDACTED] (hereinafter "[REDACTED]") in St. Louis County, Missouri, relating to a motor vehicle accident that occurred on September [REDACTED], 2011 in St. Louis County. The matters were consolidated by Judge Thea Sherry for the purposes of discovery, motion practice, and case management conferences.
2. Plaintiffs and their descendants were all residents of the State of Missouri at the time of the accident at issue.
3. [REDACTED], at all times relevant hereto, is a Missouri limited liability company doing business in St. Louis County, Missouri.
4. [REDACTED] was an employee of [REDACTED] and a resident of Missouri at the time of the accident at issue.

5. [REDACTED] is a tavern operating in [REDACTED], Illinois, approximately five (5) miles by road from the Missouri border and is licensed to sell intoxicating liquor by the drink for consumption on its premises.
6. [REDACTED] advertises its business to internet users and Missouri residents via an active Facebook page.
7. Plaintiffs' Petition alleges that [REDACTED], through its agent, [REDACTED] (hereinafter "[REDACTED]"), organized a social event for its employees at [REDACTED]. Plaintiffs further allege that [REDACTED] contacted [REDACTED] to set-up the social event which included free food and liquor for [REDACTED] employees.
8. [REDACTED] asserts that the event was set-up by Illinois resident [REDACTED] for workers who were finishing a job at the [REDACTED] located in Illinois and that they were not informed it was a Missouri company or that attendees were Missouri residents.
9. The [REDACTED] event took place at [REDACTED]'s location in Illinois on the evening of September [REDACTED], 2011.
10. [REDACTED] is alleged to have, by its employees, served liquor to [REDACTED], a minor. Plaintiffs allege that [REDACTED] eventually stopped serving [REDACTED] and took possession of his car keys, later giving his car keys to another [REDACTED] employee. [REDACTED] later regained control of said keys, drove intoxicated into Missouri and was involved in the accident alleged herein on the morning of September [REDACTED], 2011 in St. Louis County.
11. Plaintiffs allege that this Court has specific jurisdiction over [REDACTED] pursuant to Missouri's long-arm statute, R.S.Mo. §506.500, in that the tortious conduct of [REDACTED] produced actionable consequences in the State of Missouri in that [REDACTED] is located approximately five (5) miles from the Missouri border, that [REDACTED] was an agent, servant and employee of [REDACTED] and a resident of Missouri, that [REDACTED] knew or should have known that its customers were likely to cross the border into Missouri after patronizing its business and that serving liquor to minors and others would have effects in Missouri. Further, Plaintiffs assert that [REDACTED] solicits business from Missouri and engages in business with Missouri residents and provided a venue and alcohol for a social event hosted by [REDACTED], a

Missouri limited liability company, that [REDACTED] served alcohol to Missouri resident and minor [REDACTED] employee [REDACTED], and that Missouri is not an inconvenient forum for the parties.

12. [REDACTED] advertises its business through an active Facebook page to all Facebook users and further targets sports fans and Missourians by advertising food and drink specials for sporting events, involving the St. Louis Cardinals, the St. Louis Blues, and the St. Louis Rams. The Facebook page solicits users to participate in its advertising by requesting that they "Like" or "Friend" [REDACTED] and in that sense is "interactive".
13. On January [REDACTED], 2010 [REDACTED] was featured by the Riverfront Times, a St. Louis news weekly provided to the metropolitan St. Louis area. The article listed "10 Things to Do This Weekend for Under \$10" and included a stand-up act at [REDACTED] in Illinois.
14. [REDACTED] does not engage in any radio or TV advertising and prior to September [REDACTED], 2011, did not engage in any print advertising. After said date, [REDACTED] purchased ads in The Advantage and The Alton Telegraph, two newspapers published in Alton, Illinois.
15. No specific tortious acts by [REDACTED] are alleged to have been committed within the State of Missouri. Plaintiffs' claim that jurisdiction is proper pursuant to Missouri's long-arm statute given [REDACTED] conduct and [REDACTED]'s minimum contacts enumerated herein are sufficient to satisfy due process.
16. Based on the facts pled herein, [REDACTED] knew or should have known that the consequences of its actions were likely to be felt in Missouri.
17. Further, the Court finds that [REDACTED]'s Facebook page was commercial in nature and designed to foster an ongoing business relationship and exchange of information with Missouri residents it was soliciting to come to their venue.
18. [REDACTED] made a concerted effort to directly serve the Missouri market its product by means of its Facebook page advertising drink specials and encouraging sports fans to come to [REDACTED] to watch Missouri's sports teams and consume intoxicating beverages.

19. The Court has examined the nature and quality of any the contacts of [REDACTED] in Missouri, the quantity of the contacts, the relationship of the cause of action to the contacts, the interest of Missouri in providing a forum for its residents, and the convenience or inconvenience to the parties.
20. [REDACTED]'s actions, as alleged in the petitions, produced actionable consequences in Missouri and given its proximity to Missouri, they knew or should have known that the consequences of their actions were likely be felt in Missouri.
21. The Court finds that [REDACTED]'s conduct and connection with Missouri were such that it could have reasonably anticipated being haled into Court here.
22. [REDACTED]'s has sufficient minimum contacts with the State of Missouri to satisfy due process and confer jurisdiction.

WHEREFORE, [REDACTED]'s Motion to Dismiss for Lack of Jurisdiction is DENIED.

SO ORDERED:

Original signed by Court _____

Judge Ellen Levy Siwak, Div. 11

Entered

cc: All Counsel of Record.